

REMARKS

Claims 1-10 are pending in the instant application. No claims have been added by this Amendment. Claims 6 and 10 have been cancelled by this Amendment. Therefore upon entry of this instant Amendment claims 1-5, 7-9 are still pending.

Reconsideration of this application, in view of the foregoing amendments and the following remarks, is respectfully requested.

Claim 10 was objected to but has been cancelled so objection is moot.

Claim Rejections - 35 USC § 103

Claims 1-4 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nobel et al. (United States Patent Publication 20040131190) in view of (United States Patent Publication 20040100648).

Claims 5-6 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nobel et al. (United States Patent Publication 20040131190) in view of (United States Patent Publication 20040100648), in further view of Mak. Applicants traverse this rejection.

Applicant has amended claim 1 to have a modified version of the limitations of claim 10—namely the fax-aware internet protocol phone *locally* generates a signal for a user to distinguish an incoming call from a facsimile transmission. (emphasis added). Applicants have also added the limitation that the signal is generated when said incoming facsimile transmission is generated by a network aware facsimile device, said fax-aware internet protocol phone (IPP) recognizes.

Paragraph [0119] of Mak discloses the CNG tone. However for a fax sent by another fax-aware internet device the tone needs to be generated locally to have user distinguish voice from fax transmission, see paragraph [0024] of the instant application.

Applicants believe this application and the claims herein to be in a condition for allowance and respectfully requests a Notice of Allowance. Please charge any additional fees, or credit overpayment to Deposit Account No. 20-0668. Should the Examiner have further inquiry concerning these matters, please contact the below named attorney for Applicants.

Respectfully submitted:

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